

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

TIMOTHY MOON,

Plaintiff,

Case Number: 04-71882

v.

JUDGE PAUL D. BORMAN  
UNITED STATES DISTRICT COURT

HARRISON PIPING SUPPLY, a MI  
corporation; MICHIGAN TOOLING  
ASSOCIATION WORKERS  
COMPENSATION FUND, a Michigan  
corporation; MICHIGAN TOOLING  
ASSOCIATION SERVICE COMPANY, a  
Michigan corporation; and DR. ASIT RAY,

Defendants.

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**ORDER DISMISSING WITHOUT PREJUDICE PLAINTIFF TIMOTHY MOON'S  
PENDENT INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS STATE-LAW  
CLAIMS**

On May 17, 2005, this Court dismissed Plaintiff's state-law claims of intentional infliction of emotional distress against Defendants for failure to state claims for which relief may be granted. However, pursuant to the Sixth Circuit, the Court, upon remand, hereby refuses to exercise pendent jurisdiction over the intentional infliction of emotional distress state-law claims, thereby dismissing those claim without prejudice.

**SO ORDERED.**

s/Paul D. Borman  
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PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Dated: October 25, 2006

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on October 25, 2006.

s/Denise Goodine

Case Manager